

Wetlands Bureau Decision Report

Decisions Taken
04/25/2005 to 05/01/2005

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2000-02396 MACALPINE, RODERICK
TUFTONBORO Lake Winnepesaukee

Requested Action:

Retain a 24 ft 3 in x 19 ft 1 in perched beach and repairs conducted to retaining walls along an average of 233 feet of frontage in Wingate Cove, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Tuftonboro CC defers to the Wetlands Bureau

APPROVE AFTER THE FACT:

Retain a 24 ft 3 in x 19 ft 1 in perched beach and repairs conducted to retaining walls along an average of 233 feet of frontage in Wingate Cove, Lake Winnepesaukee.

With Conditions:

1. Any change to the size, location and configuration of beach, walls and steps as shown on the plans by White Mountain Survey dated April 4, 2005, as received by the Department on April 15, 2005 will require a permit from the DES Wetlands Bureau.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. This approval does not allow for annual beach replenishment.
4. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
5. All future activity on the frontage shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This after the fact approval to retain a perched beach and retaining wall repairs is classified as a minor project per Rule Wt 303.03(g), dredge of less than 20 cu yd from a surface water.
2. The project meet the requirements for the construction of a perched beach on the frontage.

-Send to Governor and Executive Council-

2004-01878 ASSOCIATED GROCERS OF NEW ENGLAND
PEMBROKE Soucook River

Requested Action:

Amendment requested to eliminate Project Specific Condition # 3, "...contigent on approval by DES Subsurface Systems Bureau" as the project is on municipal sewer; and amend Wetland Preservation Conditions #1, 3, 5,6, and 7 to coincide with easement timing agreements between the applicant and easement holder (Town of Pembroke)/steward (NH Fish & Game), relative to the easement deed and plan execution, monummentation, DES site inspection and topsoil fill placement associated with revegetation, respectively, being completed and submitted to DES following completion of Phase I of the project.

Conservation Commission/Staff Comments:

Conservation Commission recommended approval.

APPROVE AMENDMENT:

Dredge and fill two isolated palustrine shrub/scrub wetlands totaling 9,718 sq. ft. for slope grading in association with stabilization of an active gravel pit being converted into a commercial development lot, with revised conditions.

Approve as mitigation a conservation easement on 9 acres of potential eastern hognose snake habitat along the Soucook River, to be held by the town of Pembroke, with management authority by NH Fish and Game Department, with amended conditions.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated 8/4/04, as received by the Department on 8/14/04; and in accordance with conservation easement language and conditions by NH Fish and Game Department in submission dated 12/30/04 as received by the Department on 1/3/05.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

Wetland preservation:

1. Amended: This permit is contingent upon the execution of a conservation easement following completion of Phase I of the project, to be held by the Town of Pembroke and managed by NH Fish & Game, on 9.0 acres of potential eastern hognose snake habitat along the Soucook River as depicted on plans by CLD Consulting Engineers dated September 2004 as received by the Department on 9/28/2004, and in accordance with conservation easement language and conditions by NH Fish and Game Department in submission dated 12/30/04 as received by the Department on 1/3/05.
2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. Amended: The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau following completion of Phase I of the project.
4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. Amended: The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] following completion of Phase I of the project.
6. Amended: The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location following completion of Phase I of the project.
7. Amended: There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill other than that required for slope stabilization at the border of the developed site area and easement, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The Town of Pembroke (easement holder) and NH Fish and Game Department (steward) have coordinated with the applicant on the timing of this project with respect to locating the final landward slope boundary of the easement once slope construction for the site is completed. The Town of Pembroke has further conditioned its town approval (in the form of Certificate of Occupancy issuance) upon execution of the conservation easement immediately following completion of Phase I.
2. DES finds that the landward boundary of the easement area includes the slope grading and revegetation associated with the site work of the project, and that area of the easement can not be monumented, surveyed or otherwise finalized until the slope is in its final constructed position at the end of Phase I.

2004-02382 SOMERO, ETHAN
NEW IPSWICH Unnamed Wetland

Requested Action:

Fill 2,483 square feet (100 linear feet) of a perennial stream to provide access to a single family residence

Conservation Commission/Staff Comments:

On September 30, 2004, the Conservation Commission requested time to respond to the application (application not received until October 1, 2004).

Conservation commission report dated November 3, 2004, stated no objections to the project.

Inspection Date: 01/28/2005 by Dori A Wiggin

APPROVE PERMIT:

Fill 2,483 square feet (100 linear feet) of a perennial stream to provide access to a single family residence

With Conditions:

1. All work shall be in accordance with plans by Burd Engineering Associates dated September 10, 2004, as received by the Department on October 1, 2004.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. A post-construction report documenting the status of the area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i), alteration of more than 200 linear feet of a perennial stream, calculated by the summing of the lengths of disturbance to channel and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on January 28, 2005. Field inspection determined existing driveway access located on abutting property.
6. The owner of Lot 16-7 will not provide continued driveway access to lot 16-7a.

7. No deeded access to lot 16-7a was previously established through lot 16-7.

2004-02529 BLAISLAKE LLC, JAKE BLAIS
ALTON Lake Winnepesaukee

Requested Action:

Fill 800 sq ft to construct 57 linear ft of breakwater, in an "L" configuration, with a 8 ft gap at the shoreline, excavate 360 sqft of shoreline to construct a 33 ft by 33 ft dug in boathouse, dredge 39 cy from 840 sqft to provide access to the boathouse on an average of 165 ft of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con. Com. recommends denial because of limits on the subdivision for seasonal docks and the presence of sand migration.

APPROVE PERMIT:

Fill 800 sq ft to construct 57 linear ft of breakwater, in an "L" configuration, with a 8 ft gap at the shoreline, excavate 360 sqft of shoreline to construct a 33 ft by 33 ft dug in boathouse, dredge 39 cy from 840 sqft to provide access to the boathouse on an average of 165 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders dated October 4, 2004, revision date February 1, 2005, as received by the Department on February 4, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
15. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
16. The boathouse shall be a single-story structure; ridgeline not to exceed 21.48 ft in height (Elev. 525.8) above normal high water (Elev. 504.32).
17. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay

bales or other acceptable sediment trapping liner.

18. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.

19. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

20. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

22. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483 B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a Breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.
3. The applicant has an average of 131 feet of frontage along Lake Winnepesaukee, Alton.
4. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A and therefore meets Rule Wt 402.14.
6. The applicant submitted a study to the file demonstrating there will be no adverse sand migration problems on this site.
7. The applicant has addressed the restriction related to the construction of docking facilities found in the deed.

-Send to Governor and Executive Council-

2004-02775 WACHSMUTH, THOMAS & SCOTT TWOMBLY
ALTON Lake Winnepesaukee

Requested Action:

Stabilize an eroding shoreline by constructing a retaining wall along 26 linear ft shoreline, add 6 cy of sand to the shoreline above full lake elevation, add three 3 ft granite steps adjacent to the existing 5 ft x 40 ft dock on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com questions the legal status of two decks over water, and the plans are confusing, is it fill in the lake or a perched beach?

APPROVE PERMIT:

Stabilize an eroding shoreline by constructing a retaining wall along 26 linear ft shoreline, add 6 cy of sand to the shoreline above full lake elevation, add three 3 ft granite steps adjacent to the existing 5 ft x 40 ft dock on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Dave Farley dated April 2, 2005, with a FAX date of July 26, 1999, as received by the Department on April 5, 2005 with the exception that if there is any discrepancy between the project as depicted on the plans and the permit language the permit language shall overrule.
2. The construction shall be conducted in accordance with the submitted "Construction Detail Narrative" dated April 2, 2005, with a FAX date of July 26, 1999, as recieved by the Department on April 5, 2005.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. Area shall be regraded to original contours following completion of work.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. All retaining walls shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to

create land in public water.

8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

10. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.

11. The steps installed for access to the water shall be located completely landward of the normal high water line.

12. No more than 6 cu yds of sand may be used and all sand shall be located above the normal high water line. No sand shall be placed in the waterbody.

13. This permit shall be used only once, and does not allow for annual beach replenishment.

14. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

15. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.

16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a), projects in any bank or adjacent to waters of the state.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

2004-03086 COOK, NELSON
DOVER Piscataqua River

Requested Action:

Excavate, regrade and otherwise alter terrain within 28,270 sq. ft. of previously undisturbed upland tidal buffer zone for the construction of a single-family home with garage, an in-ground swimming pool, accessory structure and appurtenant paving and landscaping. Dredge and fill 254 sq. ft. of palustrine forested wetlands to construct a driveway culvert crossing.

Conservation Commission/Staff Comments:

The Dover Conservation Commission has field inspected, made comments and recommendations which are incorporated into the permit conditions and voted in favor of the project.

Inspection Date: 04/13/2005 by Frank D Richardson

APPROVE PERMIT:

Excavate, regrade and otherwise alter terrain within 28,270 sq. ft. of previously undisturbed upland tidal buffer zone for the construction of a single-family home with garage, an in-ground swimming pool, accessory structure and appurtenant paving and landscaping. Dredge and fill 254 sq. ft. of palustrine forested wetlands to construct a driveway culvert crossing.

With Conditions:

1. All work shall be in accordance with plans by Crown Point Survey & Engineering, LLC dated December 17, 2004, as received by the Department on December 27, 2004.

2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Coastal Region staff at the project site to review the conditions of this wetlands permit and to verify that Sediment and Erosion Control Plan prepared by NH Soil Consultants, Inc. dated 4/05 and received by the Department on April 27, 2005 has been fully implemented. It shall be the

responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, the professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

8. Proper headwalls shall be constructed within seven days of culvert installation.

9. Culvert outlets shall be properly rip rapped.

10. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(b) to: Excavate, regrade and otherwise alter terrain within 28,270 sq. ft. of previously undisturbed upland tidal buffer zone for the construction of a single-family home with garage, an in-ground swimming pool, accessory structure and appurtenant paving and landscaping. Dredge and fill 254 sq. ft. of palustrine forested wetlands to construct a driveway culvert crossing.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Coastal Region Staff conducted a field inspection of the proposed project on April 13, 2005. Field inspection determined the impacts to the upland tidal buffer zone have been minimalized and the intent of the Comprehensive Shoreland Protection Act-RSA 483-B upheld in the design and planning of this project.

6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this estuarine wetland and upland tidal buffer zone ecosystem.

2005-00409 BERTHIAUME, ALBERT
DOVER Little Bay

Requested Action:

Install 665 sq. ft. stone rip-rap scour protection along the base of 84 linear feet of existing timber bulkhead to prevent wave action from undermining the the bulkhead/ retaining wall.

Conservation Commission/Staff Comments:

The Dover Conservation Commission has inspected the site and voted "... to endorse the State permit application."

APPROVE PERMIT:

Install 665 sq. ft. stone rip-rap scour protection along the base of 84 linear feet of existing timber bulkhead to prevent wave action from undermining the the bulkhead/ retaining wall.

With Conditions:

1. All work shall be in accordance with plans by Applicant/ Berthiaume dated January 2005, as received by the Department on March 02, 2005.

2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

3. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.

4. Work shall be done during low tide.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a)to: Install 665 sq. ft. stone rip-rap scour protection along the base of 84 linear feet of existing timber bulkhead to prevent wave action from undermining the the bulkhead/ retaining wall.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. DES Staff conducted a field inspection of the proposed project on January 07, 2005. Field inspection determined the project is reasonable, minimizes impact to the adjacent fringe salt marsh, and will protect the retaining wall from damaging scour due to wave action at this location.
5. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem.

2005-00468 NH DEPT OF TRANSPORTATION
CONWAY Saco River

Requested Action:

Impact 4,045 sq. ft. of river and 4,199 sq. ft. of bank (1,324 sq. ft. temporary) to fill a scour hole and reshape the riprap on the east bank to prevent the accumulation of debris.

Conservation Commission/Staff Comments:

No comments from Cons. Comm. or Rivers advisory Comm.

Inspection Date: 04/25/2005 by Gino E Infascelli

APPROVE PERMIT:

Impact 4,045 sq. ft. of river and 4,199 sq. ft. of bank (1,324 sq. ft. temporary) to fill a scour hole and reshape the riprap on the east bank to prevent the accumulation of debris. NHDOT project #14198.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design and CLD Consulting Engineers dated 11/04, as received by the Department on March 10, 2005 and the Environmental Document dated April 2003 as received April 7, 2005.
2. This permit is contingent upon the submission of:
 - a. Project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented and
 - b. Plans stamped by a PE for the riprap in accordance with the requirements of rule Wt 404.04.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam or similar water diversion structure(s) shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site

has returned to normal clarity.

11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.

14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

18. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i), alteration of more than 200 linear feet of channel and bank of a river.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on April 25, 2005. Field inspection determined that the existing stone fill encroaches into the river channel; collects debris and the relocation of the stone will provide a new channel width similar to the natural size of the river. The wider channel should not impact the species noted downstream.

6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine ecosystem.

MINOR IMPACT PROJECT

2000-01809 HODGES DEVELOPMENT CORP
CONCORD Unnamed Wetland

Requested Action:

Amend permit to reduce wetlands impact from 12,540 square feet to 12,486 square feet to relocate a drainage swale based on design changes to plans which eliminates parking in the location of the proposed drainage easement.

Conservation Commission/Staff Comments:

Conservation Commission not opposed to project.

APPROVE AMENDMENT:

Dredge and fill an amended total of 12,486 sq. ft. of palustrine vegetated drainage swale and seasonal wetlands to develop a commercial site with appurtenant parking, drainage structures and stormwater runoff treatment system.

With Conditions:

REVISED CONDITION:

1. All work shall be in accordance with revised plans by Nobis Engineering, Inc. dated 2/03/2005, as received by the Department on 2/18/2005.

ORIGINAL CONDITIONS:

2. This permit is contingent on approval by the DES Site Specific Program.

3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.

4. Proper headwalls shall be installed.

5. Culvert outlets shall be properly rip rapped.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

7. Work shall be done during low flow.

With Findings:

ORIGINAL FINDINGS:

1. This is a minor impact project per Rule Wt 303.03(h).

2. This project meets the requirements for avoidance and minimization of impacts to wetlands as set forth in Rule Wt 302.03.

3. The applicant has demonstrated compliance with the requirements for application evaluation set forth in Rule Wt 302.04.

2003-02572

COW ISLAND PROPERTY TRUST, MCAUSLAND & SANG TTEES

TUFTONBORO Lake Winnepesaukee

Requested Action:

Amend permit to install seasonal pier instead of the approved permanent pier.

Conservation Commission/Staff Comments:

Con Com requested a 40 day hold November 17, 2003. No response has been submitted to the file by January 2, 2004.

Con Com states existing dock is illegal

APPROVE AMENDMENT:

Amend permit to read: Permanently remove an existing permanent crib supported dock and construct a 6 ft x 36 ft hinged, seasonal pier on an average of 943 ft of frontage on Cow Island, Lake Winnepesaukee, Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Samuel MacAusland as received by the Department on March 3, 2005. The pier shall be installed in the location for new pier construction as shown on the plans by Mason Marine Construction dated September 19, 2003, revision date April 19, 2004, as received by the Department on April 29, 2004.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

5. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau or stored in the temporary storage area noted on the submitted plans.

6. This permit does not allow for maintenance dredging.

7. Installation of this docking structure or access steps shall not require modification, regarding, recontouring, of the shoreline.

8. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.

9. No portion of the pier shall extend more than 36 feet from the shoreline at full lake elevation.

10. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has sufficient frontage for 13 boatslips.
6. The proposed docking facility provides for 2 boatslips pursuant to RSA 482-A.

2004-01890 SAMOSET CONDOMINIUM ASSOC, THOMAS LAVIGNE
GILFORD Lake Winnepesaukee

Requested Action:

Permanently reduce the 6 ft by 12 ft seasonal ramp on the south end of the major docking facility to 3 ft by 10 ft, install a 3 ft by 10 ft seasonal ramp on the north end of the major docking facility on 844 ft of frontage on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con. Com. had no objection to project.

APPROVE PERMIT:

Permanently reduce the 6 ft by 12 ft seasonal ramp on the south end of the major docking facility to 3 ft by 10 ft, install a 3 ft by 10 ft seasonal ramp on the north end of the major docking facility on 844 ft of frontage on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by T. Dudek dated April 4, 2005, as received by the Department on April 8, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Seasonal ramps shall be removed from the lake for the non-boating season.
4. Seasonal ramps shall be removed for the non-boating season.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a), projects that do not meet Wt 303.02, Wt 303.04 or Wt 303.05.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed project reduces the sqft of docking structure over public waters by 12 sqft.

2004-02774 NH DEPT OF TRANSPORTATION
CONWAY Unnamed Stream

Requested Action:

Extend a 30 in. culvert by 10 feet and construct new headwall to allow for the upgrade and widening of River Road to accommodate 4-foot bicycle shoulders impacting 72 sq. ft. of stream and 618 sq. ft. of scrub-shrub and emergent wetland.

Inspection Date: 04/25/2005 by Gino E Infascelli

APPROVE PERMIT:

Extend a 30 in. culvert by 10 feet and construct new headwall to allow for the upgrade and widening of River Road to accommodate 4-foot bicycle shoulders impacting 72 sq. ft. of stream and 618 sq. ft. of scrub-shrub and emergent wetland. NHDOT project #13078.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 9/29/04 as received by the Department on November 15, 2004.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.
11. A sedimentation/ treatment swale shall be constructed on the south side of River Road near Sta. 513+20 to reduce the amount of sand and sediment currently discharging to the brook.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. DES Staff conducted a field inspection of the proposed project on April 25, 2005. Field inspection determined this project would not change the hydrology to the stream or river or allow further disturbance by human activity.

2004-02930 ROUTE 12 ASSOCIATES, CHRIS RUGGERIO
MARLBOROUGH Unnamed Stream

Requested Action:

Approve name change to: Frank & Meyers LLC, 198 McAdam Rd., Westmoreland, NH 03467 per request received 4/27/2005.

Conservation Commission/Staff Comments:

No comments submitted from the conservation commission.

APPROVE NAME CHANGE:

Fill 8,686 square feet of palustrine emergent wetlands to construct a self-storage facility and dredge and fill 78 square feet of a seasonal stream to install a culvert with associated fill for access.

With Conditions:

1. All work shall be in accordance with plans by Jon Buschbaum culvert crossing plans received by the Department on December 8, 2004 and Self-Storage detail sheet dated March 22, 2005, access road profile details and construction sequence as received by the Department on March 23, 2005.
2. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Work shall be done during low flow.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2004-02971 SCHUYLER, ROBERT
GILFORD Lake Winnepesaukee

Requested Action:

Repair a 7 ft 4 in by 32 ft permanent dock supported by a 30 ft by 6 ft 4 in crib, dredge 1 cy of rock from 5 sqft of lakebed in the navigational channel, install two seasonal jet ski lifts along the shore south of the dock, and install a seasonal boatlift with a 9 ft 6 inch by 24 ft seasonal canopy in the southern slip, on 201 ft of frontage on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com has no objections

APPROVE PERMIT:

Repair a 7 ft 4 in by 32 ft permanent dock supported by a 30 ft by 6 ft 4 in crib, dredge 1 cy of rock from 5 sqft of lakebed in the navigational channel, install two seasonal jet ski lifts along the shore south of the dock, and install a seasonal boatlift with a 9 ft 6 inch by 24 ft seasonal canopy in the southern slip, on 201 ft of frontage on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated October 10, 2005, revision date March 31,

2005, as received by the Department on April 4, 2005.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The 2 ft x 10 ft finger pier to the personal watercraft lifts shall be completely removed from the jurisdiction of the DES Wetlands Bureau prior to the installation of the seasonal lifts and canopy.
4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Repair shall maintain existing size, location and configuration.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
10. The boatlift and PWC lifts shall be of seasonal construction type which shall be removed for the non-boating season.
11. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
12. This permit does not allow for maintenance dredging.
13. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
14. The dredge material shall be disposed of out of the Departments jurisdiction.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(g), removal of no more than 20 cy of rock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

2005-00174 WBTSCC LIMITED PARTNERSHIP
RYE Unnamed Wetland

Requested Action:

Dredge and fill a total of 6,317 sq. ft. in jurisdictional wetlands and within the tidal buffer zone for work associated with drainage and grading improvements required for safety and playability of the golf course.

Conservation Commission/Staff Comments:

The Rye Conservation Commission held an on-site meeting and is not opposed to this project.

APPROVE PERMIT:

Dredge and fill a total of 6,317 sq. ft. in jurisdictional wetlands and within the tidal buffer zone for work associated with drainage and grading improvements required for safety and playability of the golf course.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated 1/05 (Last revised 4/8/05), as received by the Department on February 01, 2005 & April 25, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

5. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), to: Dredge and fill a total of 6,317 sq. ft. in jurisdictional wetlands and within the tidal buffer zone for work associated with drainage and grading improvements required for safety and playability of the golf course.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00269 DICKINSON, GREGORY
GILFORD Lake Winnepesaukee

Requested Action:

Remove concrete utility cable caps and 18.5 cu yd of stone jetty, dredge and backfill 300 sq ft of lakebed to relocate buried utility cable to a safer location on 150 ft of frontage on Mark Island, Lake Winnepesaukee.

APPROVE PERMIT:

Remove concrete utility cable caps and 18.5 cu yd of stone jetty, dredge and backfill 300 sq ft of lakebed to relocate buried utility cable to a safer location on 150 ft of frontage on Mark Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated December 12, 2004 and cross sections dated January 4, 2005, as received by the Department on February 7, 2005.
2. The jetty material and concrete caps shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a), projects in jurisdiction that do not meet the criteria of Rules Wt 303.02 or Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00341 NH DEPT OF TRANSPORTATION
STEWARTSTOWN Bishop Brook

Requested Action:

Replace and widen bridge deck to 44 ft. curb to curb, face and extend abutments, face upstream wings, construct downstream wings

and place clean stone impacting 3,078 sq. ft. (1,062 sq. ft. temporary) of Bishop Brook and banks.

Conservation Commission/Staff Comments:

Rivers Comm. requests invasive plants be removed, a riparian buffer be planted with woody vegetation and fishing access remain without allowing a path for runoff.

APPROVE PERMIT:

Replace and widen bridge deck to 44 ft. curb to curb, face and extend abutments, face upstream wings, construct downstream wings and place clean stone impacting 3,078 sq. ft. (1,062 sq. ft. temporary) of Bishop Brook and banks. NHDOT project #14353.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 1/05, as received by the Department on Feb. 18, 2005.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as Japanese knotweed, purple loosestrife or Phragmites.
17. Japanese knotweed within the construction area shall be removed and properly disposed of to prevent its re-establishment.
18. Native woody vegetation shall be planted to help stabilize the riverbanks.
19. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project.

5. Conditions relative to invasive species removal and planting of woody species are as a result of comments from the River Joint Commissions. The stone protection on each wing will prevent erosion.

**2005-00362 NH DEPT OF TRANSPORTATION
CHICHESTER Marsh Pond**

Requested Action:

Provide additional through lanes, add sidewalks, improve intersection, relocate drainage and stabilize shoulders impacting 17,943 sq. ft. of palustrine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. requests outlet be installed with a suitable sediment trap.

Inspection Date: 04/22/2005 by Gino E Infascelli

APPROVE PERMIT:

Provide additional through lanes, add sidewalks, improve intersection, relocate drainage and stabilize shoulders impacting 17,943 sq. ft. of palustrine wetlands. NHDOT project #13922.

With Conditions:

1. All work shall be in accordance with:
 - a. Plans by NHDOT Bureau of Highway Design dated 2/3/05, as received by the Department on Feb. 22, 2005;
 - b. Final Wetland Impact plan showing the relocation of the 30 in. culvert shall be submitted to the DES Wetlands Bureau prior to construction and
 - c. The final plan is to incorporate a sediment basin or similar at the outlet of the 30 in. culvert (approximately STA 332+75 Lt.)
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
12. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
13. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
14. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(e), alteration of less than 20,000 sq. ft. of non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 22, 2005. Field inspection determined that the sidewalks will provide for pedestrian safety and the additional through lanes will improve traffic congestion. The relocation of a portion of the drainage system should improve treatment using overland flow and the Conservation Commission suggestion is incorporated as a condition of the approval.

MINIMUM IMPACT PROJECT

2005-00301 MILBURN, MICHAEL & DEBORAH
GILFORD Lake Winnepesaukee

Requested Action:

Repair existing breakwater by relocating 14 rocks to restore the breakwater's original configuration, location, and dimensions.

APPROVE PERMIT:

Repair existing breakwater by relocating 14 rocks to restore the breakwater's original configuration, location, and dimensions.

With Conditions:

1. All work shall be in accordance with plans by Michael Milburn dated January 3, 2005 as received by the Department on February 14, 2005 and rock relocations indicated on plans recieved April 11, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain existing size, location and configuration.
4. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00581

CARON, RANDALL & KIMBERLY

GOFFSTOWN Unnamed Wetland

Requested Action:

Dredge and fill a total of 1,050 square feet of forested wetland to install an 18-inch by 42-foot culvert (impacting 700 square feet) and install an 18-inch by 30-foot culvert (impacting 350 square feet) for the construction of a common driveway to access two single family residential lots.

Conservation Commission/Staff Comments:

The Goffstown Conservation Commission did not sign the PBN.

APPROVE PERMIT:

Dredge and fill a total of 1,050 square feet of forested wetland to install an 18-inch by 42-foot culvert (impacting 700 square feet) and install an 18-inch by 30-foot culvert (impacting 350 square feet) for the construction of a common driveway to access two single family residential lots.

With Conditions:

1. All work shall be in accordance with the Dredge and Fill Plans Sheets (1 and 2 of 5) by Benchmark Engineering, Inc. dated March 20, 2005 and revised April 3, 2005, as received by the Department on April 7, 2005.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Work shall be done during low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with Wt 304.04, the applicant gained written consent from the abutter identified as Robert Mitchell (Goffstown Tax Map 5 Lot 91) relative to the proposed work to be performed within 20-feet of Mitchell's property line.
6. The applicant dissolved an existing easement along the southern lot line of Goffstown Tax Map 5 Lot 90 and relocated the easement along the northern lot line lot 90, thereby impacting less jurisdictional wetlands.
7. The applicant gained written approval from the abutter identified as Peter Bailey (Goffstown Tax Map 5 Lot 92A) to construct an access road onto said property.

FORESTRY NOTIFICATION

2005-00755 TAYLOR FAMILY TRUST, R. & M.
NEWPORT Unnamed Stream

COMPLETE NOTIFICATION:
Newport Tax Map 47, Lot# 4

2005-00775 BACON, MALCOLM
ALBANY Unnamed Stream

COMPLETE NOTIFICATION:
Albany Tax Map 6, Lot# 50, 173 & 174

2005-00777 GEDDES, MELINDA
DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Deerfield Tax map 409, Lot# 60 & 61

2005-00800 POIRIER, JOHN
CHICHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Chichester Tax Map 4, Lot# 99

EXPEDITED MINIMUM

2004-02287 LEBOEUF, STEVEN
LACONIA Lake Winnepesaukee

Requested Action:
Remove and replace an existing 36 ft of retaining wall on Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

With Findings:

1. A request for additional information dated October 15, 2004, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request,

DES shall deny the application.

3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2005-00444 GRANFIELD MGR, CAROL
MEREDITH Lake Waukegan

Requested Action:

Install a 6 ft x 30 ft floating dock attached to a concrete pad poured over existing shoreline boulders on 225.5 ft of frontage on Lake Waukegan.

APPROVE PERMIT:

Install a 6 ft x 30 ft floating dock attached to a concrete pad poured over existing shoreline boulders on 225.5 ft of frontage on Lake Waukegan.

With Conditions:

1. All work shall be in accordance with plans by Charles Rand modified April 5, 2005, as received by the Department on April 19, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
2. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
3. Seasonal pier shall be removed from the lake for 5 months during the non-boating season.
4. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
5. The concrete pad shall be located completely landward of the normal high water mark and within the bank.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a 2 slip seasonal pier or wharf.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00550 KEEFE, KEVIN
MEREDITH Lake Winnisquam

Requested Action:

Install a 9 ft 6 in x 10 ft 5 in seasonal boatlift between two 6 ft x 30 ft seasonal pipe docks on 154.3 ft of shoreline frontage on Lake Winnisquam.

APPROVE PERMIT:

Install a 9 ft 6 in x 10 ft 5 in seasonal boatlift between two 6 ft x 30 ft seasonal pipe docks on 154.3 ft of shoreline frontage on Lake Winnisquam.

With Conditions:

1. All work shall be in accordance with plans by Kevin Keefe and DMC Surveyors as received by the Department on April 27, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of

the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. Seasonal docks and seasonal boatlift shall be removed for at least 5 months during the nonboating season.
4. The permitted boatlift shall be located within the middle slip and shall not be located elsewhere on the frontage without further permit approval.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(ac), Installation of a seasonal boatlift in an existing grandfathered or legally-existing, permitted boatslip.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00571 DEBRINE, RICHARD
HILLSBOROUGH Franklin Pierce Lake

Requested Action:

Remove an existing wharf and install a 4 ft x 26 ft seasonal pier extending to a 6 ft x 10 ft seasonal pier in an "L-shaped" configuration on 150 ft of frontage on Franklin Pierce Lake.

APPROVE PERMIT:

Remove an existing wharf and install a 4 ft x 26 ft seasonal pier extending to a 6 ft x 10 ft seasonal pier in an "L-shaped" configuration on 150 ft of frontage on Franklin Pierce Lake.

With Conditions:

1. All work shall be in accordance with plans submitted by Richard and Joan De Brine dated March 19, 2005, as received by the Department on March 28, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. All portions of the existing wood wharf shall be completely removed from the frontage prior to the installation of the new pier.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
7. Seasonal pier shall be removed for at least 5 months from the lake during the non-boating season.
8. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction or modification of a seasonal pier or wharf if no more than two slips, including previously existing slips, are proposed, and all criteria of Wt 402 are met.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2005-00797 TEAL, PETER
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2005-00801 SLIE, CHARLES
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2005-00802 DEARBORN, DENNIS
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2005-00803 DEARBORN, VIRGINIA
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

LAKES-SEASONAL DOCK NOTIF

2005-00774 THOMPSON FAMILY TRUST, LOUISE
NEW LONDON Lake Sunapee

COMPLETE NOTIFICATION:
New London Tax Map 91, Lot# 8 Lake Sunapee

2005-00798 LAMBERT, ROBERT
EAST WAKEFIELD Belleau Lake

COMPLETE NOTIFICATION:

East Wakefield Tax Map 68, Lot# 42 Belleau Lake

2005-00815 EASTMAN COMMUNITY ASSOCIATION
GRANTHAM Eastman Lake

COMPLETE NOTIFICATION:

Grantham Tax Map 215, Lot# 96 Eastman Lake

2005-00816 COLLINS, DIANE
NEW IPSWICH Pratt Pond

COMPLETE NOTIFICATION:

New Ipswich Tax Map 3, Lot# 55A Pratt Lake

2005-00832 DOYLE, WILLIAM & RICHARDO SALMONA
GRAFTON Grafton Pond

COMPLETE NOTIFICATION:

Grafton Tax Map 9, Lot# 502 Grafton Pond

2005-00833 KANE, RICHARD
MOULTONBOROUGH Lake Winnepesaukee

COMPLETE NOTIFICATION:

Moultonboro Tax Map 12, Lot# 71 Lake Winnepesaukee

ROADWAY MAINTENANCE NOTIF

2005-00776 NH DEPT OF TRANSPORTATION
ALLENSTOWN Unnamed Stream

2005-00795 NH DEPT OF TRANSPORTATION
EPSOM Unnamed Stream

2005-00796 NH DEPT OF TRANSPORTATION
NORTHWOOD Unnamed Stream

2005-00799 NH DEPT OF TRANSPORTATION
BARRINGTON Drainage Ditch

2005-00834 MONT VERNON DPW, TOWN OF
MONT VERNON Unnamed Stream

PERMIT BY NOTIFICATION

2005-00804 FLETCHER, BILLY & DENISE
CONCORD Unnamed Wetland

Conservation Commission/Staff Comments:

The Concord Conservation Commission did not sign the PBN

PBN IS COMPLETE:

Install a 25'x 12' HDPE driveway culvert in ditch line with end sections impacting 1005 sq. ft. of poorly drained wetlands